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Before the  
**Federal Communications Commission**  
Washington, D. C. 20554

JUN 30 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of	)	
	)	
Administration of the North	)	CC Docket No. 92-237
American Numbering Plan	)	Phases One and Two

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**REPLY COMMENTS  
OF THE  
UNITED STATES TELEPHONE ASSOCIATION**

The United States Telephone Association (USTA) respectfully submits its reply to the comments filed June 7, 1994 in the above-referenced proceeding.

In its comments, USTA stated that the Commission's goal should be to create an overall framework for numbering that assures the long term survivability and reliability of the North American Numbering Plan (NANP). The NANP must be administered so that it continues to meet the needs of all users within World Zone 1. USTA urged the Commission to involve the industry to ensure that these goals are met. USTA's reply comments will address these and other issues raised in the comments regarding the future administration of the NANP. In addition, USTA supports the comments that were filed opposing the Commission's proposal to require presubscription of 1+ interstate, intraLATA calls.

NANP ADMINISTRATION

USTA and the majority of other commenting parties support the establishment of a policy committee to develop and coordinate numbering policies and to supervise the activities of the new

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NANP administrator.<sup>1</sup> Parties agree that the policy committee should include representation from all interested participants.<sup>2</sup> The involvement of the industry, including representatives from all of the World Zone 1 countries, is essential to resolve the important issues surrounding the future of the NANP.

USTA and others believe that the Alliance for Telecommunications Solutions (ATIS) could be the appropriate sponsor for establishing such a committee, as it appears to meet the qualifications specified in the comments.<sup>3</sup> ATIS has substantial expertise in addressing numbering issues, in utilizing an industry forum process to resolve both technical and policy issues on a consensus basis and in coordinating with international entities. While a few parties opposed such a function for ATIS,<sup>4</sup> those parties fail to recommend any alternative. Allegations that ATIS would favor exchange carrier

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<sup>1</sup>USTA at 6, Ameritech at 3, Southwestern Bell at 5-6, GTE at 8, Rock Hill Telephone Company, Fort Mill Telephone Company and Lancaster Telephone Company (Rock Hill) at 2, AT&T at 10-11, MCI at 6, Sprint at 1-2, AirTouch at 1, Vanguard at 8, American Personal Communications (APC) at 3, American Mobile Telecommunications Association (AMTA) at 4-5, Cellular Telecommunications Industry Association (CTIA) at 4, Competitive Telecommunications Association (CompTel) at 2, Personal Communications Industry Association (PCIA) at 2, McCaw at 7 and Organization for the Protection and Advancement of Small Telephone Companies (OPASTCO) at 3.

<sup>2</sup>USTA at 6 and MCI at 6.

<sup>3</sup>USTA at 6, Telco Planning at 4-5, Bell Atlantic at 5, Pacific Telesis at 2-3, Southwestern Bell at 5-6, U S WEST at 1, MCI at 7, Sprint at 3, OPASTCO at 3 and GTE at 4.

<sup>4</sup>MFS at 3, AirTouch at 4, Allnet at 7 and Ad Hoc Telecommunications Users Committee (Ad Hoc) at 5.

interests over others are without merit. ATIS has included representatives from throughout the telecommunications industry in its membership and on its board of directors.

Because numbering policy matters eventually may come before a regulatory body for resolution, USTA believes that it may not be appropriate for regulators to be voting members of the policy committee.<sup>5</sup>

Several commenting parties suggest that the funding mechanism for the new numbering administration be based on the amount of numbers assigned.<sup>6</sup> It is premature to order a specific funding mechanism until a decision has been made regarding the administration of the NANP and until the scope of the new administrator's duties is determined. However, USTA believes that a funding mechanism based solely on the amount of numbers utilized would be unnecessarily complicated and would not be competitively neutral. A single number/code may be utilized by many different service providers, including exchange carriers, interexchange carriers, resellers, facsimile providers and advertisers. Thus, it would be difficult to determine which entity or entities should pay for using a particular number/code. In addition, any funding mechanism should be adopted on a going-forward basis in order to ensure that it will fairly and equitably assess costs to all entities that use or otherwise

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<sup>5</sup>USTA at 6.

<sup>6</sup>Vanguard at 12-14, Telaccess at 6, Nextel at 10-12 and MFS at 5-6.

benefit from the related number planning and administration.

The record currently before the Commission does not contain sufficient information to adopt a particular funding plan. After a decision is made regarding the administration of the NANP, the Commission should seek additional information from the industry on a funding mechanism that is cost-based and competitively neutral. Such a mechanism should also support the current integrated World Zone 1 structure and ensure compliance.

Finally, with regard to NANP administration, USTA opposes the utilization of binding arbitration, as it would undermine the consensus process.<sup>7</sup> The continuation of the industry consensus process is essential to resolving both technical and policy issues. It should not be possible for one party to delay or prevent consensus decisions. Such a result would dilute the effectiveness of the policy committee and, ultimately, affect the viability of the NANP.

#### PRESUBSCRIPTION OF INTERSTATE INTRALATA TRAFFIC

USTA supports those commenting parties that oppose requiring presubscription for interstate, intraLATA traffic.<sup>8</sup> There is no reason to change the existing arrangements for this traffic and, further, this issue is not properly considered in the instant

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<sup>7</sup>MCI at 10-11.

<sup>8</sup>Ameritech at 9-11, Southwestern Bell at 16-18, U S WEST at 18-23, Bell Atlantic at 7-8, NYNEX at 18, BellSouth at 14-17, Rock Hill at 2-3, GVNW at 6-7 and Cathey Hutton & Associates at 2-3.

proceeding on NANP administration.<sup>9</sup>

Imposition of the Commission's proposal would pose a particular hardship for some small exchange carriers. Because of the particular geography of their serving areas, a number of small telephone companies have a significant amount of toll traffic which is intraLATA. If these companies were to lose this traffic, their ability to keep basic telephone rates low would suffer.

As explained in the comments, certain switching software utilized by some small carriers only identifies one presubscribed carrier for all interLATA and international traffic. The possibility of a separate PIC requirement would necessitate expensive and, in most cases, uneconomic switch upgrades or replacements.<sup>10</sup> Even software which allows for additional carrier choices may not differentiate between state and interstate intraLATA traffic. Thus, to implement such a requirement, the Commission may have to determine how best to ensure consistency between potentially conflicting state and federal policies.

In fact, because most intraLATA toll traffic is also intrastate traffic, the states may be in the best position to address the issues, such as cost and cost recovery, balloting, PIC options, and universal service obligations, raised by the Commission's proposal. In order to ensure coordination and

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<sup>9</sup>GVNW at 6-7.

<sup>10</sup>Id. at 6, Bell Atlantic at 12-14.

consistency between the state and federal jurisdictions, the Commission could require each state to notify the Commission when the state decides to implement a form of intraLATA presubscription. The state procedure could then be applied by the Commission for any interstate traffic within that LATA.

Exchange carriers which could not afford to install a 2-PIC system would be forced to default all interstate, intraLATA traffic and the associated revenue to an interexchange carrier, thereby depriving the small exchange carrier of the opportunity to compete for this traffic,<sup>11</sup> and depriving the exchange carrier of the contribution such traffic makes to its universal service obligation. The BOCs would also be prevented from competing for this traffic due to the MFJ restriction on the provision of interLATA traffic.<sup>12</sup> No exchange carrier should be required to offer intraLATA presubscription unless that carrier is permitted to provide interLATA service as the exchange carrier could not reasonably compete with another carrier that is allowed to provide both interLATA and intraLATA service.

In addition, such a requirement would create substantial customer confusion regarding how such calls are handled and billed, particularly if the procedures for interstate toll differ from those for intrastate toll within the same LATA.

BellSouth observes that the Commission has already considered this issue in several proceedings and has found

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<sup>11</sup>Cathey Hutton & Associates at 2.

<sup>12</sup>Ameritech at 10.

nothing in the rules which would require exchange carriers to provide 1+ presubscription for interstate, intraLATA traffic.<sup>13</sup> To the contrary, the Commission found that the current procedures for the provision of interstate, intraLATA traffic do not constitute unreasonable discrimination. USTA urges the Commission to maintain the current procedures, or, at the very least, defer this issue to a separate proceeding.

Based on the foregoing, USTA recommends that the Commission proceed in its efforts to facilitate the establishment of a new administrator for the NANP consistent with USTA's comments and replies.

Respectfully submitted,

UNITED STATES TELEPHONE ASSOCIATION

BY

A handwritten signature in cursive script, appearing to read "Linda Kent", is written over a horizontal line.

Mary McDermott  
Vice President & General Counsel

Linda Kent  
Associate General Counsel

1401 H Street, NW - Suite 600  
Washington, D.C. 20006-2105  
(202) 326-7248

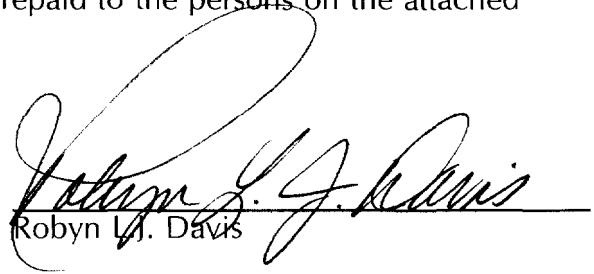
June 30, 1994

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<sup>13</sup>BellSouth at 14-15.

**CERTIFICATE OF SERVICE**

I, Robyn L.J. Davis, do certify that on June 30, 1994 copies of the Reply Comments of the United States Telephone Association were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.

  
Robyn L.J. Davis



Michael S. Slomin  
Bellcore  
290 W. Mt. Pleasant Avenue  
Room LCC-2B336  
Livingston, NJ 07039

Angela Burnett  
Information Industry Association  
555 New Jersey Avenue, NW  
Suite 800  
Washington, DC 20001

Loretta J. Garcia  
Donald J. Elardo  
MCI  
1801 Pennsylvania Avenue, NW  
Washington, DC 20006

Andrew D. Lipman  
Russell M. Blau  
Swidler & Berlin, Chartered  
3000 K Street, NW  
Washington, DC 20007

Mark R. Hamilton  
Marsha Olch  
McCaw Cellular Communications, Inc.  
5400 Carillon Point  
Kirkland, WA 98033

David Cosson  
Steven E. Watkins  
National Telephone Cooperative Assn.  
2626 Pennsylvania Avenue, NW  
Washington, DC 20037

Albert H. Kramer  
Robert F. Aldrich  
Keck, Mahin & Cate  
1201 New York Avenue, NW  
Penthouse Suite  
Washington, DC 20005

Judith St. Ledger-Roty  
Lynn E. Shapiro  
Reed, Smith, Shaw & McClay  
1200 18th Street, NW  
Washington, DC 20036

Paul Rodgers  
Charles D. Gray  
James Bradford Ramsay  
NARUC  
1102 ICC Building  
Post Office Box 684  
Washington, DC 20044

Daniel L. Brenner  
David L. Nicoll  
National Cable Television Assn.  
1724 Massachusetts Avenue, NW  
Washington, DC 20036

William J. Cowan  
New York State Department of  
Public Service  
Three Empire State Plaza  
Albany, NY 12223

H.R. Burrows  
Bell Canada  
F4, 160 Elgin Street  
Ottawa, Ontario  
Canada K1G 2J4

David C. Henny  
Whidbey Telephone Co.  
2747 E. State Highway 525  
Langley, WA 98260

A.A. Kurtze  
Centel Corporation  
8725 Higgins Road  
Chicago, IL 60631

Theodore D. Frank  
Vonya B. McCann  
Arent, Fox, Kintner, Plotkin &  
Kahn  
1050 Connecticut Avenue, NW  
Washington, DC 20036

Werner K. Hartenberger  
J.G. Harrington  
Laura H. Phillips  
Dow, Lohnes & Albertson  
1255 23rd Street, NW  
Suite 500  
Washington, DC 20037

Daniel L. Bart  
1850 M Street, NW  
Suite 1200  
Washington, DC 20036

Mary McDermott  
Campbell L. Ayling  
NYNEX  
120 Bloomingdale Road  
White Plains, NY 10605

James D. Ellis  
William J. Free  
Mark P. Royer  
Southwestern Bell  
One Bell Center  
Room 3524  
St. Louis, MO 63101

Jeffrey S. Bork  
U S West, Inc.  
1020 19th Street, NW  
Suite 700  
Washington, DC 20036

Mark H. Goldberg  
Unitel Communications Inc.  
200 Wellington Street West  
Toronto, Ontario M5V 3C7  
CANADA

Alex J. Harris  
Teleport Communications Group  
One Teleport Drive  
Staten Island, NY 10311

R. Michael Senkowski  
Jeffrey S. Linder  
Wiley, Rein & Fielding  
1776 K Street, NW  
Washington, DC 20006

D. Kelly Daniels  
Telco Planning, Inc.  
808 the Pittock Block  
921 S.W. Washington  
Portland, OR 97205

Jay C. Keithley  
Leon Kestenbaum  
Phyllis Whitten  
Sprint Corporation  
1850 M Street, NW  
Suite 1100  
Washington, DC 20036

W. Richard Morris  
Sprint Corporation  
P.O. Box 11315  
Kansas City, MO 64112

Linda D. Hershman  
Southern New England  
Telecommunications Corporation  
227 Church Street  
New Haven, CT 06510

Celia Nogales  
Pacific Telesis  
1275 Pennsylvania Avenue, NW  
Fourth Floor  
Washington, DC 20004

John M. Goodman  
Charles H. Kennedy  
James R. Young  
Bell Atlantic  
1710 H Street, NW  
Washington, DC 20006

Michael J. Shortley, III  
Rochester Telephone  
180 South Clinton Avenue  
Rochester, NY 14646

William B. Barfield  
Thompson T. Rawls  
BellSouth Telecommunications, Inc.  
4300 Southern Bell Center  
675 West Peachtree Street, NE  
Atlanta, GA 30375

Michael F. Altschul  
Michele C. Farquhar  
Cellular Telecommunications  
Industry Assn.  
Two Lafayette Centre  
1133 21st Street, NW  
Suite 300  
Washington, DC 20036

Robert E. Sigmon  
Cincinnati Bell  
201 E. Fourth Street  
102-320  
P.O. Box 2301  
Cincinnati, OH 45201

Darrell S. Townsley  
Illinois Commerce Commission  
160 North LaSalle Street  
Suite C-800  
Chicago, IL 60601

James L. Casey  
Air Transport Association of  
America  
1301 Pennsylvania Avenue, NW  
Washington, DC 20004

John L. Bartlett  
Robert J. Butler  
Wiley, Rein & Fielding  
1776 K Street, NW  
Washington, DC 20006

Dr. Lee L. Selwyn  
Economics and Technology, Inc.  
One Washington Mall  
Boston, MA 02108

James S. Blaszk  
Gardner, Carton & Douglas  
1301 K Street, NW  
Washington, DC 20005

Roy L. Morris  
Allnet Communication Services, Inc.  
1990 M Street, NW  
Suite 500  
Washington, DC 20036

J. Barclay Jones  
American Personal Communications  
1025 Connecticut Avenue, NW  
Washington, DC 20036

Jonathan D. Blake  
Ellen K. Snyder  
Covington & Burling  
1201 Pennsylvania Avenue, NW  
P.O. Box 7566  
Washington, DC 20044

Albert H. Kramer  
Robert F. Aldrich  
Keck, Mahin & Cate  
1201 New York Avenue, NW  
Penthouse Suite  
Washington, DC 20005

*Floyd S. Keene  
Mark R. Ortlieb  
Larry A. Peck  
Ameritech Operating Cos.  
2000 W. Ameritech Center Drive  
Room 4H84  
Hoffman Estates, IL 60196*

*Glenn S. Richards  
Fisher, Wayland, Cooper and Leader  
1255 23rd Street, NW  
Suite 800  
Washington, DC 20037*

*Francine J. Berry  
R. Steven Davis  
Albert M. Lewis  
AT&T  
295 North Maple Avenue  
Room 3244J1  
Basking Ridge, NJ 07920*

*Downtown Copy Center  
1919 M Street, NW  
Room 246  
Washington, DC 20554*